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STAT

CIA Case Set

Federal Appeals Court to Convene

The 4th U. S. Circuit Court of Appeals convenes in Richmond Monday for a week-long session that will include arguments on topics ranging from a slander suit involving the Central Intelligence Agency to a fatal accident in a Hopewell boat race.

Also among some 30 cases to be considered by the court is a challenge to a National Labor Relations Board ruling that found a Virginia company guilty of unfair labor practices.

Hearing arguments on the wide variety of legal issues will be two three-judge panels. None of the cases involves a hearing before the full six-judge appeals court.

ACTION AGAINST AGENT

One of the more unusual cases centers on a suit by Eerik Heine, a Canadian of Estonian background, against Juri Raus, described as an agent of the Central Intelligence Agency.

Heine contended that statements by Raus identifying him as a Soviet agent brought him into "general scandal and disgrace" and damaged his "good name and reputation."

Raus, in his response, claimed the "absolute privilege which the law affords to governmental employes sued for alleged defamatory remarks made in the performance of their governmental duties."

"The plaintiff," Heine's brief said, "in no way attacks the doctrine permitting valid national security matters from being cloaked from the view of litigants who must consequentially suffer from the inability to establish the true facts.

"However, this cloak covers with darkness all of the facts in the case regardless of which party is affected adversely.

"The defendant was engaged by the Central Intelligence Agency," Raus' brief said, "to warn members of Estonian emigre groups, who were sources of foreign intelligence for the agency . . . the Eerik Heine . . . was an instrument of Soviet intelligence. . . ."

Heine contended, in challenging a lower court ruling, that "the defendant could neither establish the truth of his allegations . . . nor his own alleged employment and scope of employment with the CIA."

Another case involves a suit against the Hopewell Yacht Club and other defendants as the result of the death of a racing boat driver who was killed when his craft was struck from behind by another boat.

Attorneys for the widow of Homer I. Bland, in seeking the reversal of a ruling by the U.S. District Court in Richmond, contended that Bland's death was the result of a lack of traffic control.

In its ruling, the lower court found that "there was no primary negligence on the part of any of the defendants" and said that Bland's negligence was the cause of the accident that occurred during the 1965 running of the Gold Cup Regatta.

A third case centers on a finding by the National Labor Relations Board that the Electro-Plastics Corp., a Virginia corporation, engaged in unfair labor practices.

The finding, which is being challenged by the Pulaski-based firm, said the company threatened its employes with reprisals for their refusal to participate in anti-union activity.

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